



Docket No. 03161.001242.
Date: April 8, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: EMIL WILLI REPEL

Application No.:09/909,272

For: APPARATUS FOR RECAPPING TIRES

Filed: July 19, 2001

Group Art Unit: 2855

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 10, 2003 of the Primary Examiner finally rejecting claims 1-9.

The items checked below are appropriate.

1. A Petition for a three (3) month extension of time to respond to the final rejection, together with the \$950.00 extension fee under 37 C.F.R. §1.17, was filed herewith.

2. A Petition for an additional _____ month extension of time to take further action, together with the \$_____ extension fee under 37 C.F.R. §1.17, was filed on _____.

3. Fee \$330.00

Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

Enclosed

Not required (fee paid in prior appeal)

Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Brendan Mee
Attorney for Applicant
Registration No. 43,391

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Form #67

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